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1638

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# TRANSMITTAL FORM

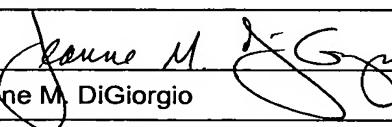
(to be used for all correspondence after initial filing)

		Application Number	10/534,593-Conf. #7806
		Filing Date	October 31, 2005
		First Named Inventor	Motoyuki ASHIKARI
		Art Unit	1638
		Examiner Name	P. T. Bui
Total Number of Pages in This Submission		Attorney Docket Number	SHZ-024US

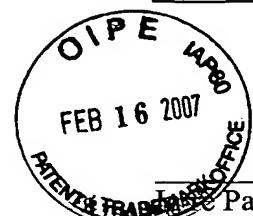
## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Jeanne M. DiGiorgio		
Date	February 16, 2007	Reg. No.	41,710

Docket No.: SHZ-024US  
(PATENT)



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application of:  
Motoyuki Ashikari *et al.*

Application No.: 10/534,593

Confirmation No.: 7806

Filed: October 31, 2005

Art Unit: 1638

For: GENES FOR INCREASING GRAIN YIELD  
AND USES THEREOF (as Amended)

Examiner: P. T. Bui

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed January 19, 2007. No extension of time is required.

The Examiner has required restriction to one of the following inventions:

Group I: Claims 1-3, 6-12, 16 and 18, drawn to a DNA sequence encoding SEQ ID NO:3 and method of using the DNA.

Group II: Claims 4, 6-12 and 18, drawn to a ribozyme.

Group III: Claims 5-12 and 18, drawn to a cosuppression RNA.

Group IV: Claim 13, drawn to a protein.

Group V: Claim 14, drawn to a method of making the protein.

Group VI: Claim 15, drawn to an antibody.

Group VII: Claim 17, drawn to a method of producing a plant having the increased particle-bearing number phenotype.

Group VIII: Claim 19, drawn to a method of determining the particle-bearing number.

Accordingly, Applicants hereby elect Group I (1-3, 6-12, 16 and 18), without traverse, drawn to a DNA sequence encoding SEQ ID NO:3 and method of using the DNA.

Further, Applicants note that the method of claim 19 (Group VIII) depends from elected claim 1 (Group I). Accordingly, Applicants respectfully request that claim 19 (Group VIII) be rejoined with Group I upon the finding that claim 1 is allowable.

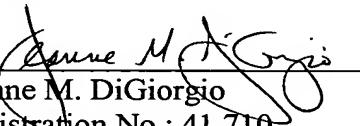
**SUMMARY**

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. SHZ-024US from which the undersigned is authorized to draw.

If the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Dated: February 16, 2007

Respectfully submitted,

By   
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